



UNITED STATES PATENT AND TRADEMARK OFFICE

Technology Center 1700.

AUG 25 2004

Mailed: _____

rvk
Paper No. _____

In re application of: :
Vincenzo Tomarchio et al :
Serial No.: 09/887,887 : DECISION ON
Filed: June 22, 2001 : PETITION
For: FLUSHABLE HARD SURFACE CLEANING WET WIPE:

This is a response to the PETITION TO WITHDRAW HOLDING OF ABANDONMENT under 37 C.F.R. 1.181, filed January 20, 2004. The petition requests that the abandonment, as set forth in the Notice of Abandonment of September 22, 2003, for failure to timely file a proper response to the Office letter dated February 10, 2003 be withdrawn. The petitioner asserts that applicants timely filed a proper response and a Petition for Extension of Time on July 30, 2003.

DECISION

The instant request is accepted as a petition under 37 C.F.R. 1.181 (no fee).

A review of the petitioner's evidence provided with the instant petition dated January 20, 2004 indicates that the applicants filed a response along with a Petition for Two-Month Extension of Time on July 30, 2003.

A review of the facts in this case shows that the Examiner mailed a non-final Office action on February 10, 2003, setting a 3-month shortened statutory period for reply. Thus a timely response, coupled with the two-month extension of time, would have had to be filed by July 10, 2003. Since applicants did not respond until July 30, 2003, the Reply dated July 30, 2003 is untimely. Accordingly, this application stands abandoned.



UNITED STATES PATENT AND TRADEMARK OFFICE

Technology Center 1700.

Applicants may file a new Petition to the Deputy Commissioner for Patent Examination Policy under 37 CFR 1.137(b) to revive the instant abandoned application based on unintentional delay.

The Petition is **DENIED**.

Jacqueline Stone
Jacqueline Stone, Director
Technology Center 1700
Chemical and Materials Engineering

THE PROCTER & GAMBLE COMPANY
INTELLECTUAL PROPERTY DIVISION
WINSTON HILL TECHNICAL CENTER – BOX 161
CINCINNATI, OH 45224